



**RESOLUTION OF THE BOARD OF DIRECTORS  
OPPOSITION TO THE ENACTMENT OF AMENDMENT 60**

WHEREAS through the action of citizen initiative the voters of Colorado will have Amendment 60 before them for their consideration at the statewide general election to be held on November 2, 2010; and,

WHEREAS Amendment 60, if enacted, would authorize non-resident property owners to vote on property tax issues pending before the constituents of the members of the Pikes Peak Regional Water Authority; and,

WHEREAS Amendment 60, if enacted, would not require that non-resident property owners be registered voters, citizens of the State of Colorado or citizens of the United States as a condition of voting in local property tax matters; and,

WHEREAS such open authority for non-residents to vote in local property tax matters would undermine the integrity of the election process and provide attractive opportunities for extensive voter fraud and corrupt campaign finance practices to the great detriment of the actual taxpaying residents and registered voters of the communities served by the members; and,

WHEREAS the proposed Amendment 60 would, if enacted, mandate the water and sanitation enterprises and authorities operated by the members of the Pikes Peak Regional Water Authority pay property taxes on all land, improvements to the land, capital infrastructure, plant assets and equipment to each property taxing jurisdiction within which the enterprise or authority is located including, but not necessarily limited to, all counties, all towns and cities, all special districts, all school districts and even to their own governmental parent organizations; and,

WHEREAS Amendment 60 would, if enacted, subject the citizens and taxpayers of the members of the Pikes Peak Regional Water Authority to the property tax levies and decisions of governmental jurisdictions and elected officials for whom the constituents of the members cannot vote and are not accountable for their actions to the citizens of the members and before whom the constituents of the members would have no standing to protest property tax decisions; and,

WHEREAS the enterprises and authorities of the members that are required to pay such Constitutionally mandated property taxes will, by necessity, be required to obtain the money to pay such mandated property taxes through increased fees for service, plant investment fees and other charges; and,

WHEREAS the taxpaying citizens and businesses served by the enterprises and authorities will be burdened with unnecessarily and unjustifiable high prices for the services received without any improved quality or efficiency of the service and for the sole purpose of providing new property tax revenues to a multitude of taxing jurisdictions; and,

WHEREAS Amendment 60 creates an entire new class of property tax paying entities that will be required to shift the cost of the new property taxes to homeowners and businesses through fees and charges which will be hidden and embedded property taxes that the homeowners and businesses are prohibited from deducting from their federal and state income taxes; and,

WHEREAS the insignificant property tax reduction mandated on school districts will result in the loss of a long standing and important income tax deduction from federal and state income taxes resulting in a multi-billion dollar tax revenue windfall to the federal Internal Revenue Service; and,

WHEREAS Amendment 60 requires that the State of Colorado backfill any and all property tax revenue losses caused by Amendment 60 to the state's 178 school districts but does not provide any source of revenue for the state to use to meet the unfunded backfill mandate; and,

WHEREAS objective analysis conducted by the non-partisan professional staff of the Office of Legislative Council of the state general fund impact that would be caused by the enactment of Amendment 60 clearly demonstrates that the liability of the state taxpayers would increase by an estimated \$1.5 billion per year in perpetuity; and,

WHEREAS Amendment 60, if enacted, would through its mandated school finance backfill increase the percentage of state general funds appropriated to K-12 public school education from the current 49% of the state general fund to an estimated 67% of the state general fund; and,

WHEREAS the unfunded school finance mandate would be a first-call on the general fund of the state thereby jeopardizing critical water programs operated by the Colorado Water Conservation Board and placing them in peril of termination at a time when sustained drought and climate change require significant new water storage projects; and,

WHEREAS the proposed Amendment 60 would, if enacted, place great and undue financial hardship upon the taxpaying citizens and businesses that are constituents and customers of the members of the Pikes Peak Regional Water Authority; and,

WHEREAS the proposed Amendment 60, if enacted, would have a chilling effect on the tenuous economic recovery by lengthening the duration of the current recession, slowing the creation of jobs, extending the unemployment rolls, making Colorado less attractive for capital investment, decreasing the quality of life, and jeopardizing the providing of essential public services such as water and sanitation; and,

WHEREAS Colorado state law authorizes governmental entities and officials to inform Colorado citizens and constituents of their recommendations concerning pending ballot measures:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PIKES PEAK REGIONAL WATER AUTHORITY THAT:

1. The Pikes Peak Regional Water Authority expresses its determination and finding that Amendment 60 would result in a false and illusory property tax reduction and would

impose a great new tax burden on the citizens, homeowners and businesses served by the members of the Authority; and,

2. The Pikes Peak Regional Water Authority expresses its determination and finding that Amendment 60 would subject the citizens of its members, who are citizens of sovereign governments organized under Colorado law, to the jurisdiction of other governmental entities where they neither reside nor have legal standing to cast ballots; and,
3. The Pikes Peak Regional Water Authority expresses its determination and finding that one of the insidious effects of Amendment 60 would be the loss of property tax deductions against federal and state income taxes resulting in a multi-billion dollar tax windfall to the federal Internal Revenue Service; and,
4. The Pikes Peak Regional Water Authority expresses its determination and finding that Amendment 60 would create a climate ripe for voter fraud, criminal election activities and subversion of the lawful election processes in Colorado to the great harm of the taxpayers of Colorado; and,
5. The Pikes Peak Regional Water Authority expresses its determination and finding that the public school finance backfill provision of Amendment 60 will divert state general fund revenues away from water supply and water conservation projects to the detriment of the members of the Authority and result in severely weakened and compromised water supply in Colorado to the extent that the reliability of the water supply will be jeopardized; and,
6. Be it further resolved that the Board of Directors of the Pikes Peak Regional Water Authority expresses its strong opposition to the enactment of Amendment 60 and urges the voters of each of its members to vote against Amendment 60 at the General Election to be held on November 2, 2010.

ADOPTED THIS \_\_\_\_\_ OF \_\_\_\_\_, 2010.